

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**JEFFREY CHARLTON, as substitute
for Mary Charlton, deceased wage earner,
Plaintiff,**

v.

**MICHAEL ASTRUE, Commissioner of
Social Security,
Defendant.**

No. 3:10-CV-0056-O-BH

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

It is therefore **ORDERED** that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are accepted. Accordingly, *Plaintiff's Motion for Summary Judgment* (doc. 19), filed May 17, 2010, is **GRANTED** to the extent he sought remand for further proceedings; *Defendant's Motion for Summary Judgment* (doc. 20), filed June 9, 2010, is **DENIED**; and the decision of the Commissioner is **REVERSED** and the case is **REMANDED** for further proceedings consistent with the recommendation set forth in the Magistrate Judge's findings.

SIGNED this 26th day of August, 2010.



Reed O'Connor
UNITED STATES DISTRICT JUDGE

